

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A  
CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS  
TRUSTEE FOR PRETIUM MORTGAGE ACQUISITION  
TRUST,

Index No.: 850022/2020

Plaintiff,

- against -

**NOTICE OF MOTION  
FOR SUMMARY  
JUDGMENT**

IAN PECK; SIGIFREDO LAVERDE; HILTON HEADS  
HOLDING BV; WORKERS' COMPENSATION BOARD  
OF NEW YORK STATE; PETER TOKAR; BOARD OF  
MANAGERS OF THE 5 EAST 17<sup>TH</sup> STREET  
CONDOMINIUM; "JOHN DOE #1" through "JOHN DOE  
#10" inclusive, the names of the ten last name Defendants  
being fictitious, real names unknown to the Plaintiff, the  
parties intended being persons or corporations having an  
interest in, or tenants or persons in possession of, portions  
of the mortgage premises described in the Complaint,

Defendants.  
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MOTION MADE BY:

**KNUCKLES, KOMOSINSKI & MANFRO, LLP**  
*Attorneys for Plaintiff*  
565 Taxter Road, Suite 590  
Elmsford, New York 10523

RETURN DATE AND TIME:

January 3, 2023 at 9:30 a.m. in New York County Supreme  
Court located at 60 Centre Street, Room 130, New York,  
NY 10007;

SUPPORTING PAPERS:

- a) Affirmation in Support and Memorandum of Law  
of Manik J. Saini, Esq. dated December 1, 2022 and  
attached exhibits;
- b) Affidavit in Support of Summary Judgment of  
Korey McGovern, sworn to October 3, 2022 and  
attached exhibits;
- c) Affidavit of Mailing of Darla Martin, sworn to October  
31, 2022 and attached exhibits;
- d) Affidavit of Non-Military Service of Yolanda Plata  
dated December 1, 2022;

e) Statement of Material Facts dated December 1, 2022.

f) Proposed Order.

RELIEF REQUESTED:

An Order granting the following relief:

- a) Pursuant to RPAPL § 1321 and CPLR § 3212 granting summary judgment in favor of Plaintiff;
- b) A default judgment against all the non-appearing defendants;
- c) Appointing a Referee and directing him/her to compute the amount due to Plaintiff; and
- d) Amending the caption; and
- e) Such other and further relief as this Court deems just and proper

**PLEASE TAKE NOTICE**, that pursuant to CPLR § 2214(b), answering papers, if any, are required to be served upon the undersigned at least seven (7) days before the return date of this motion.

Dated: Elmsford, New York  
December 1, 2022

Respectfully submitted,

**KNUCKLES, KOMOSINSKI & MANFRO, LLP**



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